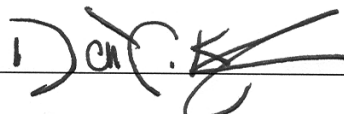


Based on the circumstances, the undersigned finds that the motion should be denied, and this

case remain closed, without prejudice to Defendant filing an Answer in Civil Action No. 3:10-CV-568-GCM-DCK. The undersigned finds that the interests of these parties can be adequately addressed in the new case, and that the interests of justice and judicial economy favor such a result.

IT IS, THEREFORE, ORDERED that Defendant's "Motion To Vacate The Order Of Remand And Reinstate The Case And Request For Leave To File An Answer" (Document No. 17) is **DENIED**. Defendant shall file an Answer or otherwise respond to Plaintiff's Complaint in Civil Action No. 3:10-CV-568-GCM-DCK.

Signed: December 20, 2010



David C. Keesler
United States Magistrate Judge

